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LRB094 07508 RSP 45962 a

1 AMENDMENT TO HOUSE BILL 3871

2 AMENDMENT NO. _____. Amend House Bill 3871 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Department of Professional Regulation Law
5 of the Civil Administrative Code of Illinois is amended by
6 changing Section 2105-400 as follows:

7 (20 ILCS 2105/2105-400)

8 Sec. 2105-400. Emergency Powers.

9 (a) Upon proclamation of a disaster by the Governor, as
10 provided for in the Illinois Emergency Management Agency Act,
11 the Director of Professional Regulation shall have the
12 following powers, which shall be exercised only in coordination
13 with the Illinois Emergency Management Agency and the
14 Department of Public Health:

15 (1) The power to suspend the requirements for permanent
16 or temporary licensure of persons who are licensed in
17 another state and are working under the direction of the
18 Illinois Emergency Management Agency (or an emergency
19 services and disaster agency accredited by the Illinois
20 Emergency Management Agency) and the Department of Public
21 Health (or a local public health department) pursuant to a
22 declared disaster.

23 (2) The power to modify the scope of practice
24 restrictions under any licensing act administered by the

1 Department for any person working under the direction of
2 the Illinois Emergency Management Agency (or an emergency
3 services and disaster agency accredited by the Illinois
4 Emergency Management Agency) and the Illinois Department
5 of Public Health (or a local public health department)
6 pursuant to the declared disaster.

7 (3) The power to expand the exemption in Section 4(a)
8 of the Pharmacy Practice Act of 1987 to those licensed
9 professionals whose scope of practice has been modified,
10 under paragraph (2) of subsection (a) of this Section, to
11 include any element of the practice of pharmacy as defined
12 in the Pharmacy Practice Act of 1987 for any person working
13 under the direction of the Illinois Emergency Management
14 Agency (or an emergency services and disaster agency
15 accredited by the Illinois Emergency Management Agency)
16 and the Illinois Department of Public Health (or a local
17 public health department) pursuant to the declared
18 disaster.

19 (b) Persons exempt from licensure under paragraph (1) of
20 subsection (a) of this Section and persons operating under
21 modified scope of practice provisions under paragraph (2) of
22 subsection (a) of this Section shall be exempt from licensure
23 or be subject to modified scope of practice only until the
24 declared disaster has ended as provided by law.

25 (c) The Director shall exercise these powers by way of
26 proclamation.

27 (Source: P.A. 93-829, eff. 7-28-04.)

28 Section 10. The Department of Public Health Powers and
29 Duties Law of the Civil Administrative Code of Illinois is
30 amended by changing Section 2310-625 as follows:

31 (20 ILCS 2310/2310-625)

32 Sec. 2310-625. Emergency Powers.

1 (a) Upon proclamation of a disaster by the Governor, as
2 provided for in the Illinois Emergency Management Agency Act,
3 the Director of Public Health shall have the following powers,
4 which shall be exercised only in coordination with the Illinois
5 Emergency Management Agency and the Department of Professional
6 Regulation:

7 (1) The power to suspend the requirements for temporary
8 or permanent licensure or certification of persons who are
9 licensed or certified in another state and are working
10 under the direction of the Illinois Emergency Management
11 Agency (or an emergency services and disaster agency
12 accredited by the Illinois Emergency Management Agency)
13 and the Illinois Department of Public Health (or a local
14 public health department) pursuant to the declared
15 disaster.

16 (2) The power to modify the scope of practice
17 restrictions under the Emergency Medical Services (EMS)
18 Systems Act for any persons who are licensed under that Act
19 for any person working under the direction of the Illinois
20 Emergency Management Agency (or an emergency services and
21 disaster agency accredited by the Illinois Emergency
22 Management Agency) and the Illinois Department of Public
23 Health (or a local public health department) pursuant to
24 the declared disaster.

25 (3) The power to modify the scope of practice
26 restrictions under the Nursing Home Care Act for Certified
27 Nursing Assistants for any person working under the
28 direction of the Illinois Emergency Management Agency (or
29 an emergency services and disaster agency accredited by the
30 Illinois Emergency Management Agency) and the Illinois
31 Department of Public Health (or a local public health
32 department) pursuant to the declared disaster.

33 (b) Persons exempt from licensure or certification under
34 paragraph (1) of subsection (a) and persons operating under

1 modified scope of practice provisions under paragraph (2) of
2 subsection (a) and paragraph (3) of subsection (a) shall be
3 exempt from licensure or certification or subject to modified
4 scope of practice only until the declared disaster has ended as
5 provided by law.

6 (c) The Director shall exercise these powers by way of
7 proclamation.

8 (Source: P.A. 93-829, eff. 7-28-04.)".